

## REMARKS

Reconsideration of this application in view of the above amendments and following remarks is requested. After entry of this reply, claims 34-39 and 52-86 are pending in this application. Claims 1-33 and 40-51 were previously canceled. Claims 52 and 53 were previously withdrew.

### *Election/Restrictions*

The Examiner classified the pending claims onto three groups.

- I. Claims 34 and 37, drawn to a computer-implemented method and system for determining customer service impact, classified in class 705, subclass 7.
- II. Claims 35-36, 38-39, and 72-75, drawn to a computer-implemented method and system for determining customer service impact including threshold analysis and further work order inquiry, classified in class 705, subclass 7.
- III. Claims 54-71, 76-86, drawn to a computer-implemented method and system for quantitatively determining customer service impact of scheduling changes, classified in class 705, subclass 7.

The examiner characterized Inventions I and II are related as subcombinations, Inventions III and I are related as subcombinations, and Inventions II and III are related as subcombinations. Applicant is required to (i) an election of a invention to be examined, and (ii) identification of the claims encompassing the elected invention. Applicants respectfully traverse.

Applicants elect Invention III (claims 54-71, and 76-86) for immediate prosecution, and respectfully traverse the restriction requirement, requesting reconsideration and withdrawal of same. It is Applicants' understanding that the above election is made to aid the examiner in conducting a search and examination of the claimed subject matter, and is not to

be construed as limiting the scope of Applicants' claims. It is Applicants' understanding also that, upon determining that all claims directed to an elected combination invention are allowable, the examiner must reconsider the propriety of the restriction requirement. Where the combination is allowable in view of the patentability of at least one of the subcombinations, the restriction requirement between the elected combination and patentable subcombination(s) will be withdrawn; furthermore, any subcombinations that were searched and determined to be allowable must also be rejoined. If a subcombination is elected and determined to be allowable, nonelected claims requiring all the limitations of the allowable claim will be rejoined in accordance with MPEP § 821.04.. M.P.E.P. § 806.05.

#### *Arguments Traversing Restriction*

Claim 34-39 are previously allowed. Claims 6, 17, 18, 24, 44, and 48-50 are objected to. See Office Action dated Aug. 18, 2008. Claim 34 is the canceled dependent claim 6 written independent form. Claim 35 the canceled dependent claim 17 written independent form. Claim 36 is dependent on claim 35. Claim 37 is the canceled dependent claim 24 written independent form. Claim 38 is the canceled independent claim 19 incorporating limitations of the canceled claim 17. Claim 39 is dependent on claim 38.

Claims 54-88 were added by the in the last Applicants Response and Amendment. Claims 54, 72, 73, 76 and 77 are independent claims. Claims 55-71 are dependent on claim 54. Claims 74 and 75 are dependent on claim 73. Claim 78-86 are dependent on dependent claim 77. These claims are draw to previous allowable subject matters of this application. No new matter is added through this amendment.

Claim 54 is an independent claim, which represents allowable subject matter appeared in canceled claims 6, 48, and 49 in a Markush group. Claim 58 is the same as canceled claim

50 which was dependent on allowable claim 49. Claim 72 is an independent claim representing allowable subject matter of canceled claim 44 in independent form. Claim 77 is an independent system claim incorporating limitations of allowable claims 6, 48, and 49 in a Markush group. All the pending independent claims are previously allowed or are directed to previously allowable subject matters.

Restriction of subcombination usable together is only proper when there would be a serious burden if restriction were not required. As indicated above, claims 34 and 37 are subsets of claims of 54 and 76 respectively. Examination of claim 54 and 76 would necessarily include the examination of claims 34 and 37. In addition, as the Examiner indicated, all the three groups of claims identified as combinations and subcombinations are classified in class 705, subclass 7. All claims are directed to systems and methods of customer service impact analysis. Applicants do not believe additional searches is required for each of the groups of the claims.

### **CONCLUSION**

In light of the above amendments and remarks, Applicant submits that pending claims 34-39, and 54-86 are allowable, that the application is in condition for allowance, and requests that the Examiner issue an early notice of allowance. The Examiner is invited to call the undersigned attorney in the event that a telephone interview will advance prosecution of this application.

Respectfully submitted,



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